IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE CRIMINAL JURISDICTION

CRIMINAL APPLICATION NO.1246 OF 2006
IN
CRIMINAL APPEAL NO.33 OF 2004

Dhaklu Sonu Janjar. ..Applicant.
Vs.
The State of Maharashtra. ..Respondent.

Mr.Sandeep Y. Katkade for the Applicant.
Mr.A.S. Gadkari, A.P.P. for the Respondent.

CORAM: B.H.MARLAPALLE &
R.S. MOHITE, JJ.
DATED :12TH FEBRUARY, 2007

P.C.

1. The applicant came to be acquitted by the learned Sessions Judge, Nashik in Sessions Case No.190 of 2002 for the offence punishable under Section-302 of the Indian Penal Code and the said order of acquittal has been challenged by the State in Criminal Appeal No.33 of 2004 which has been admitted on 23.1.2004 by this court. Action under Section 390 of the Code of Criminal Procedure was ordered to be taken by the Trial Court and consequently the applicant could not furnish the sureties. As a result, he has been in jail for about two years. Hence, this application for being released on his own P.R. bond. More so, when he is coming from a very weak financial condition and he could not obtain solvent sureties in compliance with the order passed by the Trial Court under Section 390 of the Code of

Criminal Procedure.

2. We therefore, allow the application and direct that the applicant be released on his furnishing P.R. bond in the sum of Rs.3000/- and on further condition that the applicant shall report to the police station concerned (Harsul Police Station) once in a month during the pendency of the appeal filed by the State.

(R.S. MOHITE, J.) **(B.H. MARLAPALLE, J.)**